

REMARKS

Claims 1-16 are pending in the application, and all claims are rejected. With this response, claims 1-5, 7-9, 11 and 13-14 are amended, and new claims 17 and 18 are added. All amendments and new claims are fully supported by the specification as originally filed. Claims 1-5, 7-9 and 13-14 are amended to remove reference numerals, which has no affect on the scope of the claims. See MPEP § 608.01(m). Claim 11 is amended to correct a claim dependency. Support for the amendments to claim 1 can be found at least at page 2, lines 14-15; page 6, lines 26-29. Support for new claims 17 and 18 can be found at least at page 2, lines 14-15; page 3, lines 9-24; page 6, lines 20-23; and Figures 1 and 2. Supporting structure for the functions recited in claims 17 and 18 can be found at least at the sections of the specification identified above.

Applicant respectfully requests reconsideration of the rejections in light of the following remarks.

Claim Objections

Reference numerals are removed from the claims, and therefore the objection due to the informality of an incorrect reference numeral in claim 1 is overcome. It is not necessary to have reference numerals in the claims. See MPEP § 608.01(m).

Claim Rejections Under § 102

At section 1, on page 2 of the Office Action claims 1 and 2 are rejected under 35 U.S.C. § 102(e) as anticipated by Osano (U.S. Patent No. 6,961,591). Applicant respectfully submits that independent claim 1 is not disclosed or suggested by Osano, because the cited reference fails to disclose or suggest all of the limitations recited in claim 1. Osano at least fails to disclose or suggest a first contact connected to ground and to an antenna input of a radio receiver, as recited in amended claim 1. Osano also fails to disclose or suggest a band-pass filter component interconnected between the first contact and the radio receiver, as recited in claim 1.

Osano discusses a device capable of automatically setting an optimal signal level of an ambient sound according to earphone type even in the case where either both-ear mount type and of signal-ear mount type earphones is mounted to a telephone set main body unit, and capable of recognizing the ambient sound even in the case where a stereo headphone. Osano discloses a radio receiving unit (41), but this radio receiving unit is not connected to a

first contact which is also connected to ground, as recited in claim 1. The amendment to claim 1 clarifies that the first contact is connected to an antenna input of the radio receiver, thus allowing a device coupled to the audio connector to also act as an antenna. In contrast, Osano only discloses that the annular unit (56), which is asserted by the Office to correspond to the first contact element recited in claim 1, is connected to a grounding. See Osano column 10, line 50; Figure 8A. Osano makes no mention or suggestion that the annular unit (56) is also connected to an antenna input of a radio receiver, as recited in claim 1. Therefore, for at least this reason Osano fails to disclose or suggest all of the limitations recited in claim 1, and the rejection of claim 1 should be withdrawn.

Furthermore, Osano also fails to disclose or suggest a band-pass filter component interconnected between the first contact and the radio receiver, as recited in claim 1. Osano only discloses that a receiving signal is subjected to quadrature demodulation processing, and therefore cannot disclose or suggest a band-pass filter component interconnected between the first contact and the radio receiver. Demodulation of a signal is not the equivalent of filtering a signal, and therefore Osano cannot disclose or suggest a band-pass filter component, as recited in claim 1.

Claim 2 depend from independent claim 1, and therefore is not disclosed or suggested by Osano at least in view of its dependencies. Furthermore, the capacitors disclosed by Osano only have high-pass characteristics, and cannot be used as a band-pass filter component. Therefore, claim 2 is not disclosed or suggested by Osano.

Claim Rejections Under § 103

At section 2, on page 3 of the Office Action claims 3-7 and 14 are rejected under 35 U.S.C. § 103(a) as unpatentable over Osano in view of Svetanoff (U.S. Patent No. 4,897,618).

Claims 3-7 and 14 ultimately depend from independent claim 1, and are patentable over the cited references at least in view of their dependencies.

At section 3, on page 4 of the Office Action claims 8-13 and 15-16 are rejected under 35 U.S.C. § 103(a) as unpatentable over Osano in view of Svetanoff in further view of Ito (U.S. Patent No. 6,203,344).

Claims 8-13 and 15-16 ultimately depend from independent claim 1, and are patentable over the cited references at least in view of their dependencies.

New Claims 17 and 18

New independent claim 17 contains limitations similar to those recited in independent claim 1 in means-plus-function form. Therefore, for at least the reasons discussed above in relation to claim 1, claim 17 is novel and nonobvious over the cited references.

Claim 18 depends from claim 17 and is patentable over the cited references at least in view of its dependencies.

Conclusion

The rejections of the Office Action having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested, and passage to issue of the present application is earnestly solicited. The undersigned believes that no additional fee is required to submit this response, but hereby authorizes the Commission to charge deposit account 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,



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